

UNITED STATES DISTRICT COURT

For The

District of Massachusetts

Michael A. Josey
Plaintiff

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

v.

Elizabeth Childs, M.D., et al.
Defendant

CASE NUMBER:

05-11787 RGS

I, Michael A. Josey

declare that I am the (check appropriate box)

☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☐ Yes ☒ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration _____

Are you employed at the institution? _____ Do you receive any payment from the _____

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

I don't have this information on me at the present.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|---|--|
| a. Business, profession or other self-employment | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Any other sources | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

Withdrawn Retirement Early Check Released

\$5,000.00 Retirement with drawn one year ago, no more left in this fund to receive.

4. Do you have any cash or checking or savings accounts? ☐ Yes ☒ No

If "Yes," state the total amount. _____

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

(None)

I declare under penalty of perjury that the above information is true and correct.

8/30/05

Date

Michael A. Josey

Signature of Applicant

NOTICE TO PRISONER: A Prisoner seeking to proceed IFP shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

In The United States District Court
For The
District Of Massachusetts

FILED
CLERK'S OFFICE

U.S. DISTRICT COURT
DISTRICT OF MASS.

Michael A. Josey, Pro-se, } Civil Action
Plaintiff, }
VS. } No. _____

Elizabeth Childs, M.D., et. al., }
Defendants. }

05 cv 11787 RGS

Motion For Waiver Of Filing Fees

Now comes the Plaintiff,
Michael A. Josey, Pro-se, in
the above entitled action and
moves that this Honorable
Court will waive the cost
of filing fees in this instant

-2-

matter for the reasons as set forth in the attached Affidavit Of Indigency In Support Of Motion For Waiver Of Filing Fees.

Wherefore, the Plaintiff prays that this Honorable Court will allow the filing fees and any other cost that might arise as a result of this action and any other reason this Court might deem just and proper.

Respectfully Submitted,
/s/ Michael A. Josey
Michael A. Josey
325 Huntington Ave.,
Suite 59

Boston, MA 02115

Dated: August 29, 2005

In The United States District Court
For The
District Of Massachusetts

Michael A. Josey, Pro-se,)
Plaintiff,) Civil Action
VS.) No. _____
Elizabeth Childs, MD, Et. Al.,)
Defendants.)

Affidavit Of Indigency In Support
Of Motion For Waiver Of Filing Fees

I, Michael A. Josey, hereby
state and assert that the
following information is true
to the best of my knowledge:

1.) I am presently homeless
and unemployed poverty stricken
without funds to pay the

cost of filing fees or any other cost in this action;

2.) That unless this Court issue a waiver of filing fees and cost in the same manner as was the case in 1999 while homeless in March of that year his Complaint was filed and fees waived before the Honorable Justice Lindsay because he lacked funds for filing and could not file his Complaint unless fees were waived.

3.) The issues brought forth in this Complaint have merit and this Court does have Jurisdiction to hear under the Civil Rights statute.

The above stated is true and accurate to the best

of my knowledge under the
pains and penalties of perjury
this 29th day of August 2005.

Signed,

/s/ Michael A. Josey
Michael A. Josey
325 Huntington Ave.,
Suite 59
Boston, MA 02115